

In Re: GERALD WALLACE DYER

Case No: 08-42815

TRANSFER OF CLAIM OTHER THAN FOR SECURITY

A CLAIM HAS BEEN FILED IN THIS CASE, or deemed filed under 11 U.S.C. § 1111 (a). Transferee hereby gives evidence and notice pursuant to Rule 3001(e)(2), Fed. R. Bankr. P., of the transfer, other than for security, of the claim referenced in the evidence and notice.

Capital Recovery II LLC

LVNV Funding LLC

Name of Transferee

Name of Transferor

Name and Address where notices to transferee
should be sent:

Capital Recovery II LLC
c/o Recovery Management Systems Corporation
25 SE 2nd Avenue Suite 1120
Miami FL 33131

Court Claim # (if known): 5

Amount of Claim: \$7,787.81

Date Claim Filed: 1/20/2009

Phone: (305) 379-7674
Last Four Digits of Acct #: 1576

Phone: (864) 235-7336
Last Four Digits of Acct #:

Name and Address where transferee payments
Should be sent (if different from above)

I declare under penalty of perjury that the information provided in this notice is true and correct to the best of knowledge and belief.

By: /s/ Ramesh Singh

Date: February 16, 2010

Ramesh Singh
25 SE 2nd Avenue Suite 1120
Miami FL 33131
claims@recoverycorp.com
Transferee/Transferee's Agent

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 & 3571

WAIVER OF NOTICE OF TRANSFER OF CLAIM

Sherman Acquisition LLC ("Transferor") has sold and assigned certain claims to Capital Recovery, LLC ("Transferee"). Transferee is a limited liability company organized under the laws of the State of Delaware maintaining a place of business at 25 SE 2nd Avenue, Suite 1120 Miami, FL 33131-1605. Said claims arise from consumer credit accounts (the "Accounts") issued to individuals who have filed petitions commencing cases under the U.S. Bankruptcy Code. Proofs of claim with respect to the Accounts may have been filed under the following names:

LVNV Funding LLC; Resurgent Capital Services.

Transferor consents to the attachment of a copy of this Waiver of Notice of Transfer of Claim to a Notice of Transfer of Claim filed by Transferee pursuant to Federal Rule of Bankruptcy Procedure 3001(e)(2). Transferor specifically waives the right to receive notice of and object to the filing of the Notice of Transfer of Claim. Transferor requests that Transferee be substituted for Transferor immediately upon the filing of the Notice of Transfer of Claim. A copy of this Waiver shall have the same force and effect as the original.

IN WITNESS WHEREOF, Transferor has signed and delivered this instrument on the 25th day of February, 2009.

SHERMAN ACQUISITION LLC

By: _____

Jon Mazzoli